

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

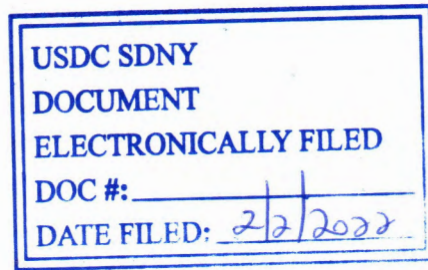
MARVIN PEARLSTEIN, Individually And On
Behalf of All Others Similarly Situated,

Plaintiff,

-against-

BLACKBERRY LIMITED (formerly known as
RESEARCH IN MOTION LIMITED),
THORSTEN HEINS, BRIAN BIDULKA, and
STEVE ZIPPERSTEIN,

Defendants.



No. 13 Civ. 7060 (CM) (KHP)
(Consolidated)

READY FOR TRIAL ORDER

McMahon, J.:

This case is now ready for trial.

Because I inherited this case from the docket of a deceased colleague, the parties did not prepare this case for trial in accordance with my normal rules. As a result, they filed summary judgment motions without simultaneously filing a joint pre-trial order.

The parties are hereby ORDERED to prepare and file a Joint PreTrial Order in accordance with this court's rules. The order is to be docketed no later than Friday, February 25, 2022.

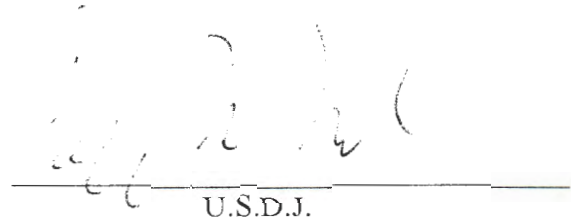
Additionally, the parties are hereby ORDERED to provide my deputy clerk, Mariela de Jesus, with a proposed witness list and an estimate of the length of the trial by next Tuesday, February 8, 2022. The court will almost certainly set its own time limits for this trial, but when I do that I like to have the parties' estimate of how long they think the trial will take.

The court intends to ask the Clerk to assign us a jury selection date during the first two weeks of April. As this case is nearly ten years old, I imagine we will qualify for priority in the selection process. Of course, I do not have the power to assign a firm trial date because of the continuing COVID crisis, so we must abide by the decision of the Trial Assignment team. But the parties should be preparing for trial starting in the first two weeks of April.

None of these dates is negotiable. None of these dates will be adjourned. The age of this case is such that it needs to be resolved as soon as possible.

If the parties are interested in talking settlement, we will facilitate that. However, settlement talks will not delay trial preparation.

Dated: February 2, 2022



A handwritten signature in black ink, appearing to read "J. J. (", is written above a horizontal line. Below the line, the text "U.S.D.J." is printed.

BY ECF TO ALL COUNSEL